UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,162	07/11/2001	Shmuel Shaffer	062891.0631	2157

7590 03/23/2006

Baker Botts L.L.P.
Suite 600
2001 Ross Avenue
Dallas, TX 75201-2980

EXAMINER	
PATEL, HARESH N	
ART UNIT	**PAPER NUMBER**
2154	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/903,162	SHAFFER ET AL.	
	Examiner	Art Unit	
	Haresh Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 July 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 July 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-45 are subject to examination.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-45 are provisionally rejected on the ground of nonstatutory double patenting over claims 5-11, 14-16, 18-21, 25-26, 29-31, 36-40 of copending Application No. 09/902946. Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of reserving a network resource for a multipoint conference at a scheduled start time and estimated duration for the conference is similar to reserving conference resources for a multipoint conference at approximately a scheduled start time and for a duration of the multipoint conference. The claimed subject matter of claims 5-11, 14-16, 18-21, 25-26, 29-31, 36-40 of copending Application No. 09/902946 does not specifically mention about usage of second unit to host the conference. However, it is well known in the art; for example, Rottoo, 5,933,417 discloses well-

known concept of using second unit to host the conference, e.g., col., 3, line 48 – col., 4, line 30. With Rottoo's teachings it would be obvious to one of ordinary skill in the art to include the concept of using the second unit to host the conference with the claimed subject matter of claims 5-11, 14-16, 18-21, 25-26, 29-31, 36-40 of copending Application No. 09/902946.

This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

3. Claims 1-45 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of Xu et al, U.S. Patent No. 6,941,323. Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of operating a contention-based multiple access communication system comprising usage of a shared communication resource for reservation at a future appointed time and reserving at least a portion of shared communication resource at a call duration is similar to reserving conference resources for a multipoint conference at approximately a scheduled start time and for a duration of the multipoint conference. The claimed subject matter of claims 1-30 of Xu et al, U.S. Patent No. 6,941,323 does not specifically mention about about usage of second unit to host the conference. However, it is well known in the art; for example, Rottoo, 5,933,417 discloses well-known concept of using second unit to host the conference, e.g., col., 3, line 48 – col., 4, line 30 . With Rottoo's teachings it would be obvious to one of ordinary skill in the art to include the concept of using the second unit to host the conference with the claimed subject matter of claims 1-30 of Xu et al, U.S. Patent No. 6,941,323.

Specification

4. Applicant is requested to update the cross-reference to related applications section that contains only attorney's docket number (Please provide patent number and/or USPTO application number).

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The present title is not sufficient for proper classification of the claimed subject matter.

The following title is suggested: "Allocating reserved bandwidth to high priority conference request based on predetermined priority scheme".

Claim Objections

6. Claims 8-10, 18 are objected to because of the following informalities:

Claims 8-10, 18 mention, "the plurality of communication paths", which should be -- the plurality of the communication paths --.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 33-39 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 33-39 are software per see that is not tangibly embodied on a computer readable medium and therefore lacks a practical application because it alone cannot produce its intended outcome. Also, the claims do not perform acts to produce a tangible result.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 33-39 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art to use and/or make the invention.

9. The specification does not contain subject matter to implement limitations of claims 33-39 without using hardware.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

10. Claims 1, 5, 6, 8, 11, 13-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations, "the multipoint conference". There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d). Since, multiple "multipoint conference" (resources for a multipoint conference, request for a multipoint conference) exists in the claim, it is not clear which "multipoint conference" is referred by the limitations in the claim.

Claims 5, 6, 14-16 recite the limitations, "the network resource requirements". There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d).

Claims 8, 18 recite the limitations, "the estimated network resource requirement". There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d).

Claims 11 recites the limitations, "the communications path", "the corresponding network resource requirement". There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d). Since, multiple "communications path" exists in the claim, it is not clear which "communications path" is referred by the limitations in the claim.

Claim 13 recites the limitations, "the availability of the estimated network resource requirement". There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d). Since, multiple "estimated network resource requirement" exists in the claim, it is not clear which "estimated network resource requirement" is referred by the limitations in the claim.

Claim 17 recites the limitations, "the network resource requirement". There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d). Since, multiple "network resource requirement" exists in the claim, it is not clear which "network resource requirement" is referred by the limitations in the claim.

Note: Examiner has made an effort to locate the limitations from the claims that are indefinite for failing to particularly point out and distinctly claim the subject matter. The applicant is requested to fix similar limitations, which the examiner might have overlooked, from the claims including other groups of claims.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 1, 3, 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savage, III et al., US 2001/0009014, Lipstream (Hereinafter Savage-Lipstream) in view of Rottoo, 5,933,417, General DataComm Inc., (Hereafter Rottoo-General-DataComm).

13. As per claim 1, a method for reserving conference resources for a multipoint conference (e.g., paragraph 11), comprising:

receiving a request for a multipoint conference reservation (e.g., paragraph 12);

receiving a list of participants (e.g. paragraph 18);

predicting communication paths for a plurality of the participants (e.g., paragraphs 19, 54);

estimating a multipoint control unit resource requirement (e.g., paragraph 20);

selecting a first multipoint control unit to host the multipoint conference (e.g., paragraph 40);

determining availability of the multipoint control unit resource requirement (e.g., paragraph (e.g., paragraph 45); and

selecting a second multipoint control unit to host the multipoint conference (e.g., paragraphs 74-76) if the first multipoint control unit does not have the multipoint control unit resource requirement available (e.g., paragraph 46, 75).

However, Savage-Lipstream do not specifically mention about the determining done at approximately a scheduled start time and for a duration of the multipoint conference.

Rottoo-General-DataComm discloses the well-known concept of determining done at approximately a scheduled start time and for a duration of the multipoint conference (e.g., col., 3, line 48 – col., 4, line 29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Savage-Lipstream with the teachings of Rottoo-General-DataComm in order to facilitate usage of determining done at approximately a scheduled start time and for a duration of the multipoint conference because the determination would provide information on whether the necessary resource for conference is available or not. The scheduled start time and the duration of the multipoint conference would be used to know when and how long resource would be required to support the multipoint conference.

14. As per claim 3, Savage-Lipstream and Rottoo-General-DataComm disclose the claimed limitations as rejected above. Savage-Lipstream also discloses usage of communication port requirement (paragraph 40).

15. As per claim 4, Savage-Lipstream and Rottoo-General-DataComm disclose the claimed limitations as rejected above. Savage-Lipstream also discloses reserving the multipoint conference resource requirement of the first multipoint control unit for the multipoint conference, if the multipoint conference resource requirement is available (e.g., paragraph 54).

16. As per claim 7, Savage-Lipstream and Rottoo-General-DataComm disclose the claimed limitations as rejected above. However, Savage-Lipstream does not specifically mention about requesting an alternative estimated start time.

Rottoo-General-DataComm discloses the well-known concept of requesting an alternative estimated start time (e.g., col., 3, line 48 – col., 4, line 29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Savage-Lipstream with the teachings of Rottoo-General-DataComm in order to facilitate requesting an alternative estimated start time because the alternative estimated start time would enhance providing information on when the conference would be available. The alternative time would help know when the necessary resource for conference is needed.

17. Claims 2, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savage-Lipstream and Rottoo-General-DataComm in view of Shaffer et al., 6,411,601, Siemens (Hereinafter Shaffer-Siemens).

18. As per claims 2 and 6, Savage-Lipstream and Rottoo-General-DataComm disclose the claimed limitations as rejected above. However, Savage-Lipstream and Rottoo-General-DataComm do not specifically mention about digital signal processor and digital signal processor farm.

Shaffer-Siemens discloses the well-known concept of using digital signal processor and digital signal processor farm (e.g., figure 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Savage-Lipstream and Rottoo-General-DataComm with the teachings of Shaffer-Siemens in order to facilitate usage of digital signal processor and digital signal processor farm because the digital signal processor would provide support for processing information for the conference. The digital signal processor farm would enhance providing multiple signal processors as necessary.

19. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Savage-Lipstream and Rottoo-General-DataComm in view of "Official Notice".

20. As per claim 5, Savage-Lipstream and Rottoo-General-DataComm disclose the claimed limitations as rejected above. However, Savage-Lipstream and Rottoo-General-DataComm do not specifically mention about gateway port. "Official Notice" is taken that both the concept and advantages of providing usage of gateway port is well known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include gateway port with the teachings of Savage-Lipstream and Rottoo-General-DataComm in order to facilitate usage of gateway port because the gateway port would provide

support for communicating two devices through the gateway. The gateway port would process information flowing through the port.

21. Claims 8-11, 13, 14, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savage-Lipstream and Rottoo-General-DataComm in view of Kujoory et al., 6,021,263, Lucent Technologies (Hereinafter Kujoory-Lucent).

22. As per claim 8, Savage-Lipstream and Rottoo-General-DataComm disclose the claimed limitations as rejected above. Savage-Lipstream also discloses usage and handling of third multipoint control unit (e.g., paragraph 40). However, Savage-Lipstream and Rottoo-General-DataComm do not specifically mention about usage of selecting a first communication path of a plurality of the communications paths.

Kujoory-Lucent discloses the well-known concept of selecting a first communication path of a plurality of the communications paths (e.g., figures 4A-4D, col., 7, lines 14 - 58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Savage-Lipstream and Rottoo-General-DataComm with the teachings of Kujoory-Lucent in order to facilitate usage of selecting a first communication path of a plurality of the communications paths because the first communication path would provide support for communicating information between devices for the conference. The plurality of the communications paths would enhance providing multiple communication paths as necessary.

23. As per claims 9-11, 13, Savage-Lipstream and Rottoo-General-DataComm disclose the claimed limitations as rejected above. Savage-Lipstream also discloses usage and handling of fourth multipoint control unit (e.g., paragraph 40) and fifth multipoint control unit (e.g., paragraph 40). However, Savage-Lipstream and Rottoo-General-DataComm do not specifically mention about usage of selecting a second communication path of a plurality of the communications paths.

Kujoory-Lucent discloses the well-known concept of selecting a second communication path of a plurality of the communications paths (e.g., figures 4A-4D, col., 7, lines 14 - 58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Savage-Lipstream and Rottoo-General-DataComm with the teachings of Kujoory-Lucent in order to facilitate usage of selecting a second communication path of a plurality of the communications paths because the second communication path would provide support for communicating information between devices for the conference. The plurality of the communications paths would enhance providing multiple communication paths as necessary.

24. As per claims 14, 17-20, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent disclose the claimed limitations as rejected above. Savage-Lipstream also discloses usage of bandwidth (e.g., paragraph 54).

25. Claims 16, 26-31, 33-38, 40-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent in view of Shaffer et al., 6,411,601, Siemens (Hereinafter Shaffer-Siemens).

26. As per claims 16, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent disclose the claimed limitations as rejected above. However, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent do not specifically mention about digital signal processor and digital signal processor farm.

Shaffer-Siemens discloses the well-known concept of using digital signal processor and digital signal processor farm (e.g., figure 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent with the teachings of Shaffer-Siemens in order to facilitate usage of digital signal processor and digital signal processor farm because the digital signal processor would provide support for processing information for the conference. The digital signal processor farm would enhance providing multiple signal processors as necessary.

27. As per claims 26-31, 33-38, 40-45, Savage-Lipstream, Rottoo-General-DataComm, Kujoory-Lucent and Shaffer-Siemens disclose the claimed limitations as rejected above. Savage-Lipstream also discloses usage of an apparatus for reserving conference resources for a multipoint conference (e.g., figures 1, 15, 16, paragraphs 11-24) usage of a server (e.g., figures 1, 15, 16, paragraphs 11-24) usage of a memory (e.g., figures 1, 15, 16, paragraphs 11-24), logic

encoded in media for reserving a network resource for a multipoint conference (e.g., figures 1, 15, 16, paragraphs 11-24).

28. Claims 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent in view of "Official Notice".

29. As per claim 15, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent disclose the claimed limitations as rejected above. However, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent do not specifically mention about gateway port. "Official Notice" is taken that both the concept and advantages of providing usage of gateway port is well known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include gateway port with the teachings of Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent in order to facilitate usage of gateway port because the gateway port would provide support for communicating two devices through the gateway. The gateway port would process information flowing through the port.

30. Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Savage-Lipstream and Rottoo-General-DataComm in view of Li et al., 6,728,365, Nortel Networks (Hereinafter Li-Nortel).

31. As per claim 12, Savage-Lipstream and Rottoo-General-DataComm disclose the claimed limitations as rejected above. However, Savage-Lipstream and Rottoo-General-DataComm do

not specifically mention about usage of the communications paths are predicted using RSVP PATH messages.

Li-Nortel discloses the well-known concept of using the communications paths are predicted using RSVP PATH messages (e.g., abstract, figures 3-8, col., 5, lines 1 – 42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Savage-Lipstream and Rottoo-General-DataComm with the teachings of Li-Nortel in order to facilitate using the communications paths are predicted using RSVP PATH messages because the messages would enhance providing information about the communication paths. Based on the information the communication path would provide usage of communication paths as necessary.

32. Claims 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent in view of Li-Nortel.

33. As per claim 21, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent disclose the claimed limitations as rejected above. However, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent do not specifically mention about usage of the communications paths are predicted using RSVP PATH messages.

Li-Nortel discloses the well-known concept of using the communications paths are predicted using RSVP PATH messages (e.g., abstract, figures 3-8, col., 5, lines 1 – 42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent with the teachings of Li-Nortel in order to facilitate using the communications

paths are predicted using RSVP PATH messages because the messages would enhance providing information about the communication paths. Based on the information the communication path would provide usage of communication paths as necessary.

34. Claims 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent in view of "Official Notice".

35. As per claims 22-25, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent disclose the claimed limitations as rejected above.

Savage-Lipstream also discloses reserving bandwidth for high priority requests (e.g., paragraph 103); allocating available bandwidth from the reserved bandwidth according to a predetermined priority scheme (e.g., paragraph 104); the predetermined priority scheme is established according to a type of multipoint conference requested (e.g., paragraph 105); the predetermined priority scheme is established according to a plurality of unique identifiers corresponding to a plurality of the participants, respectively (e.g., paragraph 105); and the available bandwidth is allocated to high priority participants until all high priority participant requests are processed (e.g., paragraph 103-108).

However, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent do not specifically mention about pool of bandwidth. "Official Notice" is taken that both the concept and advantages of providing usage of pool of bandwidth is well known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include gateway port with the teachings of Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent in order to facilitate usage of pool of bandwidth because the

pool would provide support for several bandwidth for communicating between two devices through the gateway. Based on the information the pool would provide usage of bandwidth as necessary.

36. Claims 32, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savage-Lipstream, Rottoo-General-DataComm, Kujoory-Lucent and Shaffer-Siemens in view of "Official Notice".

37. As per claims 32, 39 Savage-Lipstream, Rottoo-General-DataComm, Kujoory-Lucent and Shaffer-Siemens disclose the claimed limitations as rejected above.

Savage-Lipstream also discloses reserving bandwidth for high priority requests (e.g., paragraph 103); allocating available bandwidth from the reserved bandwidth according to a predetermined priority scheme (e.g., paragraph 104); the predetermined priority scheme is established according to a type of multipoint conference requested (e.g., paragraph 105); the predetermined priority scheme is established according to a plurality of unique identifiers corresponding to a plurality of the participants, respectively (e.g., paragraph 105); and the available bandwidth is allocated to high priority participants until all high priority participant requests are processed (e.g., paragraph 103-108).

However, Savage-Lipstream, Rottoo-General-DataComm and Kujoory-Lucent do not specifically mention about pool of bandwidth. "Official Notice" is taken that both the concept and advantages of providing usage of pool of bandwidth is well known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include gateway port with the teachings of Savage-Lipstream, Rottoo-General-

DataComm, Kujoory-Lucent and Shaffer-Siemens in order to facilitate usage of pool of bandwidth because the pool would provide support for several bandwidth for communicating between two devices through the gateway: Based on the information the pool would provide usage of bandwidth as necessary.

Conclusion

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

March 18, 2006

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100